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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,223	05/15/2001	Nader N. Abazamia	884.391US1	1695
7590 01/07/2004			EXAMINER	
Schwegman, Lundberg Woessner & Kluth, P.A. P.O. Box 2938 Minneapolis, MN 55402			NGUYEN, JIMMY	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/858,223	<b>Applicant(s)</b> ABAZARNIA ET AL.	
	<b>Examiner</b> Jimmy Nguyen	<b>Art Unit</b> 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 17-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 17-22 and 24-27 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

**Response to Argument**

- a. Applicant's arguments with respect to claims 17 – 22 and 24 -27 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 17 –22 and 24 –27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calanni et al (US 6361335) in view of Mitchell et al (US 5704619)

As to claim 17, Calanni et al disclose (figs 6 and 7) a floating and self-aligning suspension system comprising;

A frame (700);

A biasing mechanism (730) mounted to the frame (700) to permit the frame to move relative to another structure; and

A connector (780) mounted to the frame (700) and movable with the frame for self-alignment and attachment to an assembly (690).

However, Calanni et al are silent on the biasing member is a plunger assembly. On the other hand, Mitchell et al teach biasing member is a plunger assembly (120, fig 10).

It would have been obvious to one having an ordinary skill in the art at the time of the invention was made to cooperate the biasing mechanism of Calanni et al become a plunger assembly of Mitchell et al for the purpose of securing the join surface (column 20 line 11 –26).

As to claim 18, Mitchell et al disclose (figs 10 and 13) the biasing mechanism comprise a plurality is a plunger assembly (122, 172).

As to claim 19, Calanni et al disclose (figs 1 and 7) a bank of capacitors (on the pcb 120) mounted to the frame; and a cable (all the wire connect the components on the pcb to the connector 780) connecting the bank of capacitors to the connector.

As to claim 20, Calanni et al disclose (figs 6 and 7) the other structure (600) is an outer frame into which the frame (insider) is disposed.

As to claim 21, Calanni et al disclose (figs 6 and 7) an actuator (740) to move the outer frame (700), wherein the frame and connector (780) will move

independent of the outer frame to self align and attach the connector to a power tab of the assembly (pcb).

As to claim 22, Calanni et al disclose (figs 6 and 7) the assembly (pcb) is an IC having an array of signal pins extending in one direction and a power tab extending in another direction for attachment to the connector.

As to claims 24 - 27, Calanni et al (figs 6 and 7) and Mitchell et al , In *In re King*, 801 F.2d 1324, 1326 USPQ 136, 138 (Fed. Cir. 1986) it was held that:

"Under the principles of Inherency, if a structure in the prior art necessarily functions in accordance with the limitations of a process or method claim of an application, the claim is anticipated." The court added, however, that: "This is not to say that the discovery of a new use for an old structure based on unknown properties of the structure might not be patentable to the discoverer as a process.

***Allowable Subject Matter***

1. Claims 1 – 9 and 23 are allowed.

The prior arts of record do not disclose a stanchion member extending from each end of the first and second base members; at least two plunger assemblies attached to each of the first and second base members and extending from the first and second base members in a direction substantially opposite to the

stanchion members to permit movement of the frame along a first axis relative to an assembly.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

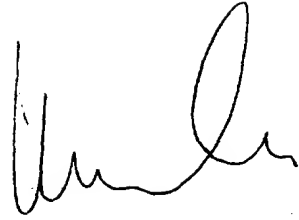
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Nguyen at (703) 306-5858. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.

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JN.  
Dec, 18, 2003

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